



11-21-05 Ifw

**In the United States Patent and Trademark Office**

Serial Number: 10/774950  
Appn. Filed: 2004 Feb 9<sup>th</sup>  
Applicant(s): Philipp Herget  
Appn. Title: Magnetic Read Only Memory  
Examiner/GAU: Ngan Ngo / 2818

Mailed: 2005 November 18<sup>th</sup>  
At: Pittsburgh, PA

**Amendment D**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action Mailed Aug 18<sup>th</sup>, 2005 please amend the above application as follows:

**CLAIMS:**

Claim 2: Delete and replace with:

2. The storage medium of claim 1 wherein said substrate has a plurality of features which create said nucleation sites in said magnetic layer.

Claim 3: Delete and replace with:

3. The storage medium of claim 1 wherein said substrate has a plurality of steps which create said nucleation sites in said magnetic layer.

Claim 4: Delete and replace with:

4. The storage medium of claim 1 wherein said substrate has a spatially varying surface texture and said texture creates said nucleation into said magnetic layer.

**Remarks**

**Objection To The Rejection of Claims 1-4 under 35 U.S.C. 102(b)**

Claims 1-4 were rejected under 35 U.S.C. 102(b) on the basis of being anticipated by Katti et al. (US-5,375,082). The applicant request reconsideration and withdrawal on the basis of a misunderstanding of the teachings of Katti in US-5,375,082.

Katti teaches of a method of making an analog memory using a magnetic material (26) consisting of a multitude of particles (28), which have a variety of switching characteristic. By using a large number of particles, the switching characteristics of the film are set such that a large number of flux levels can be created by the medium, allowing the storage of analog data (a continuum of levels). In the device described, the data is therefore stored in these particles (28) which have been randomly placed in the media and will switch independently. Lines 40-53 in column 5 of Katti et al. cited in the office action state: